

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: \_\_\_\_\_

Duane Morris

FIRM and AFFILIATE OFFICES

NEW YORK  
LONDON  
SINGAPORE  
LOS ANGELES  
CHICAGO  
HOUSTON  
HANOI  
PHILADELPHIA  
SAN DIEGO  
SAN FRANCISCO  
BALTIMORE  
BOSTON  
WASHINGTON, DC  
LAS VEGAS  
ATLANTA  
MIAMI  
PITTSBURGH  
NEWARK  
WILMINGTON  
PRINCETON  
LAKE TAHOE  
HO CHI MINH CITY

JOSEPH M. BURTON  
DIRECT DIAL: 415.957.3014  
PERSONAL FAX: 415.957.3001  
E-MAIL: jmburton@duanemorris.com

www.duanemorris.com

February 20, 2008

**MEMO ENDORSED**

**BY FACSIMILE**

The Honorable Kenneth M. Karas  
United States District Judge  
United States District Court  
300 Quarropas Street, Room 533  
White Plains, NY 10601

**Re: United States v. Charles Wells; Case No. 07 CR 225-01 (KMK)/ Request for  
Leave to File Late**

Dear Judge Karas:

Defendant Charles Wells is scheduled to appear before your Honor for sentencing on Wednesday, February 27th. I was prepared to file Mr. Wells' Sentencing Memorandum before close of business today. However, I have just recently learned that pursuant to this Court's Individual Rules of Practice For Sentencing Proceedings, the defendant's Sentencing Memorandum should be filed and served two weeks in advance of the date set for sentencing.

The late filing of Mr. Wells' Sentencing Memorandum is due solely to my failure to discover the Court's Rules of Practice in this regard.

I respectfully request that my error not adversely impact Mr. Wells, and that I be given permission to file Mr. Wells' Sentencing Memorandum today, February 20, 2008.

Respectfully,

*Joseph M. Burton*  
Joseph M. Burton

*Granted*

cc: Ms. Danya Perry  
Daniel Walter Levy

DM11293353 1

SO ORDERED

*Kenneth M. Karas*  
KENNETH M. KARAS U.S.D.J.  
2/20/08

DUANE MORRIS LLP

ONE MARKET, SPEAR TOWER, SUITE 2000 SAN FRANCISCO, CA 94105-1104

PHONE: 415.957.3000 FAX: 415.957.3001